

Minutes of the meeting of the **SCRUTINY (POLICY AND PERFORMANCE)** Committee held at the Council Offices, Whitfield on Tuesday 13 July 2010 at 6.00 pm.

Present:

Chairman: Councillor K Mills

Councillors: T A Bond
M D Conolly
G Cowan
J H Goodwin
C E Kirby
D A Mayes
C J Meredith (Minute Nos 121-125 only)
J C Record
A F Richardson

Also Present: Councillor N J Collor (Minute Nos 121-125 only)

Officers: Director of Property, Leisure and Waste Management
Democratic Support Officer

121 MINUTES

The Minutes of the meeting of the Committee held on 15 June 2010 were approved as a correct record and signed by the Chairman.

122 EAST KENT (JOINT SCRUTINY) COMMITTEE

The Democratic Support Officer circulated a copy of the Minutes of the meeting of 30 June 2010 for information.

RESOLVED: That the Minutes be noted.

123 PUBLIC SPEAKING

The Democratic Support Officer advised that there had been no requests made to speak in respect of items on the agenda.

124 ITEMS REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE OR ANOTHER COMMITTEE

There were no items for consideration at the meeting.

125 ITEMS CALLED IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBER OR PUBLIC PETITION

Petition POS007 – Petition Opposing Cemetery Development in Elms Vale

Mr Sedgwick presented the petition to the Committee on behalf of his parents, the Petition Organisers, who had been unable to attend the meeting. The petition was classified as an 'ordinary petition' with 122 signatures in support.

In keeping with the Petition Scheme, Mr Sedgwick was granted ten minutes to speak in support of the petition and raised the following points:

- That a number of the 23 sites suggested by the Council were unfeasible, such as parkland.
- That the alternative sites suggested by the Petition Organiser would be more suitable for the location of a cemetery.
- The position of the cemetery in relation to the Petition Organisers house.
- The concerns over access to Elms Vale Road.
- The proximity of the cemetery to schools and parks.
- The lack of formal consultation on the proposals.
- That the reason for the test holes dug approximately a year ago was not disclosed when asked.

In response the Director of Property, Leisure and Waste Management stated that Council owned cemetery space in Dover would reach critical levels within ten years, although there was capacity still in other Council owned cemeteries in the District in Aylesham, Deal and Sandwich. There was also capacity in other cemeteries managed by some Parishes and Churches.

While the Council was not required to provide cemeteries it did have responsibility for providing for the burial of those who could not afford to be buried (known as paupers' graves) and had a public healthy duty in respect of circumstances such as an epidemic.

The exploration of potential new cemetery sites had been initiated as a result of the Environment Agency objecting to a planning application to extend existing the St Mary's Cemetery within Dover. A map showing the Environment Agency source protection zones was circulated and the Committee's attention was directed to the large areas marked as zones 1 and 2 for which any proposal to develop a new cemetery would be subject to objection by the Environment Agency and for which planning permission would therefore be unlikely to be granted.

The Director of Property, Leisure and Waste Management emphasised that no process of formal consultation had been undertaken and the Council had no funding allocated in the capital programme for building a new cemetery.

The consensus view of the Committee was that the issue of future provision of cemeteries in the District was an important one that needed a full public debate. In considering a future site, it was felt that the Council should give consideration to the issues of groundwater restrictions, accessibility to the site and the impact of traffic on the surrounding area and the capacity of any cemetery to grow to meet future needs.

RESOLVED: (a) That Mr Sedgwick be thanked for attending the meeting to present the petition.

(b) That it be recommended to the Cabinet:

- (i) That in considering any future proposals for new Council owned cemeteries a full and proper public debate be held as to the needs of the people of the District.

- (ii) That the necessity for a Council owned burial site in Dover be evaluated given the space available in privately owned cemeteries in Dover and the other Council owned cemeteries in the District.
- (iii) That the sites proposed by Mr Sedgwick be considered for inclusion within the list of sites identified by the Council for evaluation.

(Councillors T A Bond, C J Meredith and J C Record declared a personal interest by reason of being members of the Planning Committee.)

(Councillor A F Richardson declared a personal interest by reason of the areas marked 2, 3 and 4 on the map being located close to his house and by reason of being a member of the Planning Committee.)

126 FORWARD PLAN

The Democratic Support Officer presented the Forward Plan to the Committee for its consideration.

RESOLVED: That the Forward Plan be noted.

127 SCRUTINY WORK PROGRAMME

The Democratic Support Officer presented the Work Programme to the Committee for its consideration.

RESOLVED: That the Work Programme be noted.

128 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED: That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the current items of business on the grounds that the items to be considered involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the Act.

129 EAST KENT WASTE PROJECT

The Director of Property, Leisure and Waste Management presented the report to the Committee for its consideration.

RESOLVED: That the report be noted.

The meeting ended at 8.05 pm.